

AMENDED AFFIDAVIT

632143

**U.S. DISTRICT COURT, SOUTHERN DIST.
NEW YORK**

INDEX NO: 6120/08

FILE DATE:

ATTY: SCOTT A. LUCAS
60 EAST 42ND STREET
SUITE 1001
NEW YORK, NY 10165

EPS No: 605747

Attorney File No:

Batch No: 0

STATE OF NEW YORK: COUNTY OF NEW YORK

Plaintiff(s)

PRINCE BRELAND, ANNIE COLEMAN ET AL

Defendant(s)

- against -
GEOFFREY ZAKARIAN, COUNTRY IN NEW YORK, LLC, ET AL

STATE OF NEW YORK, COUNTY OF QUEENS: SS:

CHARLES F. MON BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 7/23/2008 at 1:48PM at 90 MADISON AVENUE, NEW YORK, NY 10016, deponent served the within SUMMONS & COMPLAINT IN A CIVIL ACTION on GEOFFREY ZAKARIAN. At time of service the index number and date of filing were on the SUMMONS & COMPLAINT IN A CIVIL ACTION

SUITABLE AGE PERSON

Service was made in the following manner after your deponent was unable with due diligence to serve the defendant in person. By delivering a true copy of the thereof to and leaving with YESENIA PAREDES, CO-WORKER a person of suitable age and discretion at 90 MADISON AVENUE, NEW YORK, NY 10016, the said premises being the defendants Place of Business within the State of New York.

MAILING First Class Mail

Deponent completed service under the last two sections by depositing 0 Copy of the SUMMONS & COMPLAINT IN A CIVIL ACTION to GEOFFREY ZAKARIAN at 90 MADISON AVENUE, NEW YORK, NY 10016 in a postpaid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of New York on 7/25/2008 via First Class Mail. The mailing was made to the address bearing 'PERSONAL & CONFIDENTIAL' and not indicating 'LEGAL ACTION'. NP

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

Approximate age: 23

Approximate weight: 118

Approximate height: 5'4"

Color of skin: BROWN

Color of hair: BLACK

Sex: F

Military Service Upon information and belief I aver that the defendant is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

AUG 08 2008

921878

LUIS A. CRESPO
Commissioner of Deeds
City of New York No. 4-4920
Certificate Filed in Queens County
Commission Expires Aug. 1, 2009

KEVIN T. MACTIERNAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MA6108632
Qualified in Nassau County
Commission Expires 4/19/2008

ARTAK RAEVSKY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RA6123189
Qualified in Queens County
Commission Expires 2/28/2009

LORRE A. DUNNE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DU8016358
Qualified in Queens County
Commission Expires 11/16/2010

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X

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Plaintiff(s)

- against -

GEOFFREY ZAKARIAN, COUNTRY IN NEW YORK, LLC, ET AL

Defendant(s)

X

AFFIDAVIT OF SERVICE

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60 EAST 42ND STREET
NEW YORK, NY 10165
212-573-6906
212-286-9516

Elite Process Servers, Inc. * 88-08 Little Neck Parkway, Floral Park, NY 11001